

Fiscal Services Division

Legislative Services Agency

Fiscal Note

SF 525 - Custodial Interrogations, Recording (LSB 2813 SV)
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Fiscal Note Version - New

Description

Senate File 525 requires peace officers to electronically record an interrogation of an adult or juvenile suspected of a crime. If the interrogation is not recorded and the adult or juvenile makes incriminating statements during the interrogation, the statements are not admissible in court. The Bill requires the electronic recording be preserved until all appeals are exhausted.

Background

- There are approximately 450 law enforcement agencies in Iowa.
- Senate File 525 is an introduction of a new procedure in law enforcement requiring more diligence on the part of peace officers in questioning suspects.
- Senate File 525 does not violate other provision for juveniles in Chapter 232, Code of Iowa.
- There are 47 juvenile court offices.

Fiscal Impact

The total fiscal impact on State agencies is approximately \$775,000. The fiscal impact to local law enforcement cannot be determined, but is anticipated to be significant.

Senate File 525 includes the following fiscal impact:

- Requires an additional 6.5 FTE positions for Word Processor II's in the Department of Public Safety at a cost of \$308,000, due to the increased volume of transcription which is required by the Judicial Branch and prosecuting authorities.
- Requires additional overtime for case preparation and trial preparation time in the Department of Public Safety at a cost of \$322,000.
- Requires handheld video cameras and DVD-R disks at a cost of \$98,500, which includes \$500 per video recorder and DVD-Rs which come in a pack of 100 for \$32.00.
- Requires the Judicial Branch to purchase audio recording equipment for juvenile court officers at a cost of \$47,000 plus disk costs. This requires the purchase of a minimum of two recording devices per juvenile court office or 94 recording units. The cost per unit is \$500 for a Marantz PMD 660.
- Senate File 525 will likely increase the amount of court time per case in which the interrogation was not recorded and the defendant contests the admissibility of the statement. It is not possible to estimate the potential increase in litigation costs.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Iowa County Attorneys Association
State Public Defender's Office
Department of Public Safety
Judicial Branch

/s/ Holly M. Lyons

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
